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INFO RUEHBO/AMEMBASSY BOGOTA PRIORITY 5758
RUEHCV/AMEMBASSY CARACAS PRIORITY 1847
RUEHLP/AMEMBASSY LA PAZ JUL 9929
RUEHPE/AMEMBASSY LIMA PRIORITY 0727
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SUBJECT: HUMAN RIGHTS ACTIVIST DETAINED BY MILITARY

¶1. (U) Summary: Human Rights activist Wilman Adolfo Jimenez Salazar was detained by the military on June 19 in Payamino, Orellana province. He is charged with violating the state of emergency and was held incommunicado until June 26. Amnesty International considers Jimenez to be a prisoner of conscience. Ecuadorian human rights activists fear future mistreatment and a civil court has requested jurisdiction from the military to try the case. Provincial leaders are striking for Jimenez's release and the lifting of the state of emergency. Defense Minister Oswaldo Jarrin defended the detention as justified under the state of emergency declared in Orellana province since March. End Summary.

¶2. (U) Wilman Jimenez Salazar, a member of the Orellana Human Rights Committee, was arrested in Payamino near Coca, the provincial capitol of Orellana province, on June 19 while protesting with peasant communities from Payamino and taking photos to document any police abuses. He is accused of throwing rocks at police, though human rights activists deny this. Police and military used tear gas and rubber bullets to break up the demonstration. During the protest Jimenez reportedly received six rubber bullet wounds and another man was also injured.

¶3. (U) After his arrest, Jimenez was taken to Coca's Public Hospital for medical treatment and then to Coca's Judicial Police Station. Human rights activists went to the police station on June 19 and were given Jimenez's camera and personal belongings. When they returned the next day they were told that he had been transferred to a military brigade in Pastaza province. The same day, a habeas corpus writ was filed on his behalf and granted by the civil court but rejected by the military, which has jurisdiction under the state of emergency decree. Until June 26, no one was allowed to visit Jimenez despite the Sucumbios District Attorney's order of a medical examination on June 21.

¶4. (U) After an urgent action appeal sent by Amnesty International, Jimenez was allowed to see family and his lawyer on June 26. He is being attended to by a military doctor, according to human rights contacts. Once access was granted to his lawyer, Jimenez did not allege torture or mistreatment but the military will not permit an outside doctor to assess his condition according to human rights contacts. A civil court submitted a request to try the case and Gonzalo Mesa, commander of the fourth army division in the region, said that he would answer within two weeks. In the meantime Jimenez will be held in a military facility.

¶5. (U) David Cordero of the Ecumenical Commission on Human Rights (CEDHU) told us on June 30 that public opinion may pressure the military to hand the case over to a civil court. Cordero worried that a military trial would not be impartial

and that torture could occur during further interrogation. Jimenez, a civilian, can be tried by a military court under Ecuador's National Security Law. Cordero stated that although the protest took place within the oil installations, reports of violence were exaggerated by authorities to justify their actions. He claimed that no damage had occurred to property.

¶6. (U) A moving strike led by the Mayor of Coca and the Prefect (US governor-equivalent) of Orellana province began on June 28 and has continued for two days. Strikers mounted mobile roadblocks on rural roads, demanding an end to the state of emergency and the release of Jimenez.

¶7. (U) Minister of Defense General Oswaldo Jarrin defended the detention in a June 30 radio interview. Jimenez had violated the emergency decree which limits freedom of assembly and suspends habeas corpus. He said that "in a state of emergency, no activist... has the right to use violence, to assault, to raid a privately owned oil installation." Jimenez attempted to damage private property and will not be released, he said.

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